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FAIR POLITICAL PRACTICES COMMISSION
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Attorney for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of

PAUL FICKAS AND DECLINE TO
STATE VOTER GUIDE

Respondents.

FPPC No. 10/959

STIPULATION, DECISION and
ORDER

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondents Paul Fickas and Decline to State Voter Guide hereby agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-

1 examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to
2 have an impartial administrative law judge preside over the hearing as a hearing officer, and to
3 have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondents Paul Fickas and Decline to State
5 Voter Guide violated the Political Reform Act by (1) failing to include required disclosures in a
6 slate mailer, in violation of Section 84305.5 of the Government Code (1 count), as described in
7 Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth
8 herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

9 Respondents agree to the issuance of the decision and order, which is attached hereto.
10 Respondents also agree to the Commission imposing upon them an administrative penalty in the
11 amount of One Thousand Five Hundred Dollars (\$1,500). A cashier's check from Respondents
12 in said amount, made payable to the "General Fund of the State of California," is submitted with
13 this stipulation as full payment of the administrative penalty, and shall be held by the State of
14 California until the Commission issues its decision and order regarding this matter. The parties
15 agree that in the event the Commission refuses to accept this stipulation, it shall become null and
16 void, and within fifteen (15) business days after the Commission meeting at which the stipulation
17 is rejected, all payments tendered by Respondents in connection with this stipulation shall be
18 reimbursed to Respondents. Respondents further stipulate and agree that in the event the
19 Commission rejects the stipulation, and a full evidentiary hearing before the Commission
20 becomes necessary, neither any member of the Commission, nor the Executive Director, shall be
21 disqualified because of prior consideration of this stipulation.

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23 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

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26 Dated: _____

Paul Fickas individually and on behalf of
Decline to State Voter Guide
Respondents

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Paul Fickas and Decline to State
3 Voter Guide FPPC No. 10/959,” including all attached exhibits, is hereby accepted as the final
4 decision and order of the Fair Political Practices Commission, effective upon execution below by
5 the Chair.

6
7 IT IS SO ORDERED.

8 Dated: _____

9 _____
10 Ann Ravel, Chair
11 Fair Political Practices Commission
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